

Central Intelligence Agency



Washington, D.C. 20505

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OLL 85-254/3

The Honorable Patricia Schroeder
Subcommittee on Civil Service
Committee on Post Office and Civil Service
House of Representatives
Washington, D.C. 20515

Dear Madam Chairwoman:

This is in response to your letter of 21 August 1985 to the Director of Personnel of the Central Intelligence Agency concerning the leave policies of Federal Departments and agencies for working parents. We are pleased to provide the following information to your questions:

1. DO YOU HAVE AN AGENCY-WIDE POLICY FOR GRANTING PARENTAL LEAVE?

The CIA does not provide parental leave as such. This Agency, like other executive departments and agencies, does allow a combination of sick leave, annual leave and leave without pay (LWOP) to be used for maternity reasons. Annual leave and LWOP also can be used for paternity reasons and for purposes of adoption.

2. IF SO, DESCRIBE THE POLICY IN DETAIL AND PROVIDE COPIES OF ANY WRITTEN MATERIALS YOU MAY HAVE RELATING TO THIS POLICY.

See answer to Question #1.

3. IF THERE IS NO OFFICIAL AGENCY-WIDE POLICY, HOW ARE REQUESTS FOR MATERNITY LEAVE HANDLED?

Requests for annual leave and LWOP to be used for maternity and paternity reasons are submitted in the same manner as any other requests for these types of leave. Because sick leave can only be used for that portion of the time away from the workplace which is directly attributable to incapacitation, written certification from the attending physician must accompany all requests for sick leave exceeding three days (whether for "maternity" reasons or not).

4. HOW ARE REQUESTS FOR PATERNITY LEAVE HANDLED?

Requests for paternity leave are handled in the same manner as other requests for annual leave and LWOP.

5. ARE UNPAID LEAVES OFFERED OR PROVIDED TO MOTHERS? FOR HOW LONG A PERIOD OF TIME? IS JOB PROTECTION GUARANTEED?

As explained above in our response to Question #1, LWOP may be granted for maternity reasons. We will approve LWOP which is reasonable and appropriate but generally for no more than 12 months. Job protection is guaranteed to the same extent and in the same manner that would apply upon return from LWOP for non-maternity reasons. That is, an employee is guaranteed to return to duty at the same grade as the one she held at the time she went on LWOP, and to a job with a similar level of responsibility, but not necessarily the same specific position.

6. ARE UNPAID LEAVES OFFERED OR PROVIDED TO FATHERS? FOR HOW LONG? IS JOB PROTECTION GUARANTEED?

As explained above in our response to Question #1, LWOP may be granted for paternity reasons. The same standards of approval apply as with any other type of LWOP. Job protection is guaranteed to the same extent and in the same manner as would apply in non-paternity cases.

7. HOW MANY OF YOUR AGENCY'S EMPLOYEES WERE GRANTED MATERNITY LEAVE IN THE LAST 12 MONTHS? WHAT WAS THE AVERAGE LENGTH OF TIME?

The only readily available figures which relate to maternity leave are figures on LWOP. No separate records are kept on annual leave and sick leave used for maternity reasons. Therefore, our estimate of the average length of maternity leave does not take into account those individuals who use only sick and annual leave for maternity purposes and does not figure in sick and annual leave used in conjunction with LWOP. During the reporting period from 1 June 84 to 30 May 85, sixty-two (62) employees went on LWOP for maternity purposes. The average length of such LWOP was approximately four months.

8. HOW MANY OF YOUR AGENCY'S EMPLOYEES WERE GRANTED PATERNITY LEAVE IN THE LAST 12 MONTHS? WHAT WAS THE AVERAGE LENGTH OF TIME?

Information on employees using annual leave and LWOP for paternity reasons is not broken out as a separate category in the leave statistics maintained by the Agency. The information requested, therefore, is not readily available.

9. DO YOU FEEL THAT YOU HAVE SUFFICIENT LEGAL AUTHORITY TO DEAL WITH THE PARENTAL LEAVE SITUATION?

The Agency's Office of General Counsel informs me that technically, under Section 8 of the Central Intelligence Agency Act, the Director would have sufficient authority. However, recognizing that the private sector is increasingly providing for maternity/paternity leave as it is for day care centers, and since we will have a day care center along with our new building, I would conclude that we would be flexible enough to consider legislation expressly authorizing maternity/paternity leave in the federal work force.

My staff is available for any further assistance you may need concerning the information provided.

Sincerely,

Charles A. Briggs
Director, Office of Legislative Liaison

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